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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) No.: 3-14 70421 MAG (NC)
Plaintiff,)
) STIPULATION AND [PROPOSED] ORDER FOR
v.) RELEASE OF DOCUMENTS AND AMENDMENT
GEORGE NIEH,) OF TERMS AND CONDITIONS OF RELEASE
Defendant.)

The defendant, George Nieh, made an initial appearance on a criminal complaint before Magistrate Judge Nathanael Cousins on March 26, 2013. The defendant was in custody and was represented by Assistant Federal Public Defender Elizabeth Falk. The government moved for detention of the defendant. However, after the defense advised the Court that the defendant has medical issues relating to dialysis, the Court ordered the defendant released on a personal recognizance bond with certain conditions, including electronic monitoring. The bond provides that the defendant is permitted to leave home for medical appointments and court appearances. In order to verify the defendant's

**STIP. & [PROPOSED] ORDER FOR RELEASE OF DOCUMENTS
& AMENDMENT OF TERMS & CONDITIONS OF RELEASE**

1 representations about his need for dialysis treatment the next day and to assess issues regarding
2 detention or release, the Court ordered the defendant to provide documentation from his physician
3 describing the defendant's condition and course of care.

4 The defendant next appeared before the Court on March 28, 2014 with provisionally-appointed
5 counsel, Gil Eisenberg. The Court advised the parties that it had received the medical documentation
6 from the defendant.

7 The parties have discussed the matter and hereby stipulate and move the Court for an order
8 requiring Pre-Trial Services to provide the government copies of any medical documentation and
9 information provided by the defendant or his counsel to the Court. Going forward, the defense agrees to
10 provide the government with copies of any information and documentation relating to defendant's
11 medical condition that the defendant provides to the Court and Pre-Trial Services.

12 The matters of appointment of counsel and bail review are scheduled to be heard by the Court on
13 April 3, 2014 at 11:00 a.m. At that time, the issue of detention or release will be revisited. In the
14 interim, the defense seeks a modification of the terms and conditions of release to permit the defendant
15 to leave his residence in order to visit his attorney. It is understood that all such visits will be pre-
16 approved by Pre-Trial Services. The government has no objection to this modification of the current
17 terms and conditions of release.

18 SO STIPULATED.

19 MELINDA HAAG
20 United States Attorney

21 Date: March 31, 2014

22 /s/
SUSAN E. BADGER
23 Assistant United States Attorney

24 Date: March 31, 2014

25 /s/
GIL EISENBERG
26 Counsel for George Nieh

27
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1 [PROPOSED] ORDER

2 Based upon the stipulation of the parties and good cause appearing, IT IS HEREBY ORDERED
3 that Pre-Trial Services provide to the government copies of all medical documentation and information
4 provided by the defendant or his counsel to Pre-Trial Services to date.

5 IT IS FURTHER ORDERED that the terms and conditions of the defendant's release are
6 modified to permit the defendant to leave his residence in order to meet with his attorney at his
7 attorney's office or the Federal Courthouse at 450 Golden Gate Avenue, San Francisco, CA. The
8 defendant or his counsel will notify, and obtain permission from, Pre-Trial Services in advance of such
9 visits.

11 Date:

12 _____
13 NATHANAEL COUSINS
14 UNITED STATES MAGISTRATE JUDGE